

Posted – September 16, 2009

REGULAR MEETING SEPTEMBER 21, 2009

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, September 21, 2009 at 7:00 P.M at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

CONSENT CALENDAR

1. Approval of Minutes – Regular Meeting, September 8, 2009.

2. Communication of Denise Panichas, Executive Director, The Samaritans of Rhode Island, re: Appreciation for Council appropriation.

- 3. Application of Middletown Columbus Club, Inc., 7 Valley Road, for RENEWAL of Bingo License for the 2009-2010 licensing year.**
- 4. Application for Special Events Permit received from Kira Duffy for a Wedding at Paradise Park, October 24, 2009 at 2:30 pm until 4:00 pm.**
- 5. Application of Florence A. Cyr dba Dawg House Grill/Deli, 687 West Main Road, for Victualling House License – Additional Hours of Operation – for the 2009-2010 licensing year. (NEW) (Requires Advertising for Public Hearing)**
- 6. Email communication from Town Clerk, Town of Exeter, with enclosure, re: Seeking support for declaring September as Ovarian Cancer Awareness Month.**
- 7. Resolution of Town of Narragansett, re: Proclaiming the month of September as “Ovarian Cancer Awareness Month”.**
- 8. Resolution of the City of Providence, re: Proclaiming the month of September as “Ovarian Cancer Awareness Month”.**
- 9. Memorandum of Town Clerk, Town of Glocester, with enclosure, re: Seeking support in Opposition to Binding Arbitration for Teacher contracts.**
- 10. Petition of National Grid Electric Company for Peckham Lane P7**

proposed new JO Pole location. (Recommendation of Roads/Utilities Committee included)

11. Notice from the State of Rhode Island, Department of Environmental Management, Office of Water Resources/Water Quality Certification Program, re: Consideration of applications of Cardi Corporation, AP Enterprise, LLC and Thomas Levesque.

12. Notice of Public Hearing two (2) received from the Zoning Board of Review, Petition of Bay Ridge Development Corporation, owner, by their attorney William R. Landry, Esquire for an Appeal from Sections 205 A, 311, 901 – Reversing the Decision on the basis that the subject project “Bay Ridge” does not in fact require a Special Use Permit, and is already subject of vested rights under the Special Use Permit granted on or about September 28, 2005 and for a modification of a previously granted Special Use Permit from Section 602, Table 601, Article 22 and Section 902 on real estate located at Forest Avenue, TAP 113, Lot 3.

TOWN COUNCIL

1. Resolution of the Council, re: Commendation First Robotics and Technology Team of Newport County.

2. Application of Florence A. Cyr dba Dawg House Grill/Deli, 687 West

Main Road, for a Victualling House License for the 2008-2009 licensing year. (NEW)

3. Application of Bagadowe Sports, LLC, 717 Aquidneck Avenue, for a Holiday License for the 2009-2010 licensing year. (NEW)

4. Application of Newport Vineyards, 909 East Main Road, for a one-time Amusement License for Acoustic Music by Grape Press, Sunday, October 11, 2009.

5. Memorandum of Arthur S. Weber, Jr., Chairman, Middletown Planning Board, re: Proposed Zoning Ordinance amendment - Wind Energy Conversion Facilities. (Requires Advertising for Public Hearing)

6. Memorandum of Town Planner, re: Statewide Planning Program – 2009 Planning Challenge Grant.

7. Resolution of the Council, re: Authorizing submission of 2009 Planning Challenge Grant application.

8. Memorandum of Town Administrator, with enclosures, re: Civic Appropriations Request from Middletown Hockey Boosters Club, Inc.

**9. An Ordinance of the Town of Middletown (Second Reading)
An Ordinance in amendment to the Town Code of the Town of**

Middletown, Title VII, Traffic Code. (Four Way Stop Intersection of High Street and O'Neil Boulevard)

10. (Continued from Regular Meeting, September 8, 2009)

Memorandum of Town Administrator, with enclosures, re: Award of contract – Jean Street Sidewalks, Head Start Drain Line, Senior Center & Town Hall Seal Coat.

11. (Continued from Regular Meeting, September 8, 2009)

Resolution of the Council, re: Award of contract – Jean Street Sidewalks, Head Start Drain Line, Senior Center & Town Hall Seal Coat.

PUBLIC FORUM SESSION

Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.

EXECUTIVE SESSION

Pursuant to provisions of RIGL, Sections 42-46-2., 42-46-4. and 42-46-5. (a) (1) personnel (Town Administrator) and (5) lease (JFK School).

Wendy J. W. Marshall, CMC
Clerk

Town

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.

ADDENDUM TO TOWN COUNCIL AGENDA

REGULAR MEETING – SEPTEMBER 21, 2009

POSTED – SEPTEMBER 18, 2009

12. Application for Special Events Permit received from Alicia M. Hicks for the Thomas J. Burns 5K Run – 1.5 mile walk, walk begins and ends at Middletown High School, Sunday, October 4, 2009 from 8:00 am until 2:00 pm. Ms. Hicks request the permit fee and police detail be waived.

13. Application for Special Events Permit received from Toyota Scion/Island Surf & Sports for a Surfing Contest at Second Beach, open dates September 15, 2009 thru November 1, 2009.

**Wendy J.W. Marshall, CMC
Town Clerk**